

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

GEORGE GULLY,

Plaintiff,

v.

KEN BELL, et al.,

Defendants.

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8:10CV308

ORDER

This matter is before the court on the motion of William M. Lamson, Jr., William R. Settles, Brian J. Brislen and the law firm of Lamson, Dugan and Murray, LLP ([Filing No. 15](#)) to withdraw as counsel for the defendants. The movants state a potential conflict of interest exists and the defendants will obtain substitute counsel to represent their personal interests in this matter. There is no evidence in the record showing the movants served a copy of the motion on the defendants. The court will afford the defendants an opportunity to respond to the motion and/or obtain substitute counsel. The court will also allow the parties an extension of the deadline to file a planning report as required by Fed. R. Civ. P. 26(f). Accordingly,

**IT IS ORDERED:**

1. William M. Lamson, Jr., William R. Settles, Brian J. Brislen and the law firm of Lamson, Dugan and Murray, LLP's motion to withdraw ([Filing No. 15](#)) is held in abeyance.
2. The defendants shall have to **on or before June 17, 2011**, to respond to the motion to withdraw by filing a brief with the Clerk of Court. If no response is received or if substitute counsel has entered an appearance by that date, the motion to withdraw will be granted. If the motion to withdraw is granted and substitute counsel has not entered an appearance, each defendant will be considered proceeding *pro se*.
3. The deadline to file a planning report as required by Fed. R. Civ. P. 26(f) is stayed pending resolution of the motion to withdraw.
4. Moving counsel shall serve a copy of their motion and this order on their clients and file a certificate of such service with the court.

DATED this 16th day of May, 2011.

BY THE COURT:  
s/ Thomas D. Thalken  
United States Magistrate Judge